ATTACHMENT 1



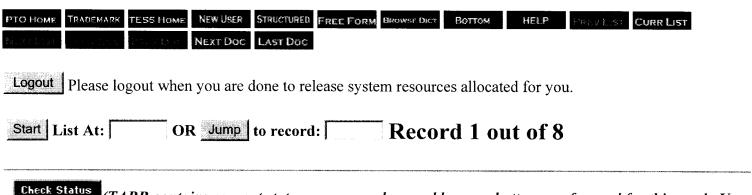
Filed 12/06/2004



Trademark Electronic Search System(Tess)

Case 1:04-cv-12258-JLT

TESS was last updated on Fri Dec 3 04:27:44 EST 2004



(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark THE MOST PERFECTLY CUT DIAMOND IN THE WORLD

Goods and Services

IC 035. US 100 101 102. G & S: Retail store services in the field of diamonds; online retail store services in the field of diamonds; wholesale distributorship services in the field of diamonds; wholesale stores featuring diamonds. FIRST USE: 19970101. FIRST USE IN

COMMERCE: 19970101

Mark Drawing

Code

(1) TYPED DRAWING

Serial Number

78078313

Filing Date

August 8, 2001

Current Filing

Basis

1A

Original Filing

Basis

1B

Supplemental

Register Date

September 18, 2002

Owner

(APPLICANT) Hearts on Fire Company CORPORATION DELAWARE 99 SUMMER

STREET, 4TH FLOOR Boston MASSACHUSETTS 02110

Attorney of Record

GAILYC C. SONIA

Disclaimer

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CUT DIAMOND" APART

FROM THE MARK AS SHOWN

Type of Mark

SERVICE MARK

Register

PRINCIPAL-2(F)

Live/Dead

Case 1:04-cv-12258-JLT Document 6-2 Filed 12/06/2004 Page 3 of 11

Indicator LIVE

PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT TOP HELP PREVIOUS CURR LIST

BEAUTICAS FREE FORM BROWSE DICT TOP HELP PREVIOUS CURR LIST

HOME | INDEX | SEARCH | SYSTEM ALERTS | BUSINESS CENTER | NEWS&NOTICES | CONTACT US | PRIVACY STATEMENT

Page 2 of 2

Latest Status Info
Page 1 of 3

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2004-12-03 19:17:19 ET

Serial Number: 78078313

Registration Number: (NOT AVAILABLE)

Mark (words only): THE MOST PERFECTLY CUT DIAMOND IN THE WORLD

Standard Character claim: No

Current Status: Withdrawn from publication.

Date of Status: 2004-11-30

Filing Date: 2001-08-08

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 111

Attorney Assigned:

HUGHITT ELIZABETH A Employee Location

Current Location: 650 - Publication And Issue Section

Date In Location: 2004-11-29

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Hearts on Fire Company

Address:

Hearts on Fire Company 99 SUMMER STREET, 4TH FLOOR Boston, MA 02110

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: N.A.

GOODS AND/OR SERVICES

International Class: 035

Latest Status Info Page 2 of 3

Case 1:04-cv-12258-JLT Document 6-2 Filed 12/06/2004 Page 5 of 11

Retail store services in the field of diamonds; online retail store services in the field of diamonds; wholesale distributorship services in the field of diamonds; wholesale stores featuring diamonds

First Use Date: 1997-01-01

First Use in Commerce Date: 1997-01-01

Basis: 1(a)

ADDITIONAL INFORMATION

Disclaimer: "CUT DIAMOND"

Section 2(f)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-11-05 - Law Office Publication Review Completed

2004-10-06 - Assigned To LIE

2004-10-06 - Assigned To LIE

2004-09-28 - Approved for Pub - Principal Register (Initial exam)

2004-09-28 - EXAMINERS AMENDMENT E-MAILED

2004-09-28 - Examiners Amendment - Completed

2004-09-28 - Case file assigned to examining attorney

2004-09-28 - Previous allowance count withdrawn

2004-09-28 - Case file assigned to examining attorney

2004-07-16 - PAPER RECEIVED

2004-04-26 - Case file assigned to examining attorney

2004-02-02 - TEAS Change of Correspondence Received

2003-05-20 - Opposition instituted for Proceeding

2003-01-07 - Extension of time to oppose - Filed

2002-12-03 - Published for opposition

2002-11-13 - Notice of publication

2002-09-24 - Approved for Pub - Principal Register (Initial exam)

2002-09-24 - Amendment to Use approved

2002-09-19 - Examiner's amendment mailed

2002-07-15 - Disapproval of Amendment to use mailed

2002-03-29 - Communication received from applicant

2002-05-16 - Amendment to use processing complete

2002-03-25 - Amendment to Use filed

2002-03-25 - Communication received from applicant

2002-03-25 - PAPER RECEIVED

2001-09-29 - Non-final action mailed

2001-09-25 - Case file assigned to examining attorney

2001-09-19 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

GAILYC C. SONIA (Attorney of record)

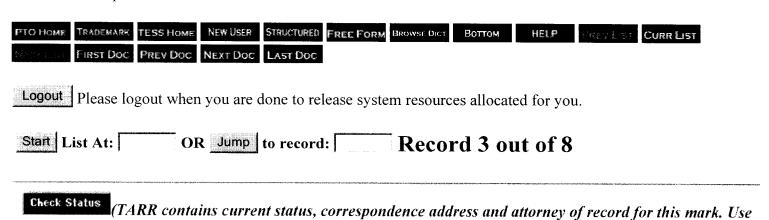
GAILYC C. SONIA HEARTS ON FIRE COMPANY 99 SUMMER STREET, 4TH FLOOR BOSTON, MA 02110

Phone Number: 617-523-5588 **Fax Number:** 617-523-1437



Trademark Electronic Search System(Tess)

TESS was last updated on Fri Dec 3 04:27:44 EST 2004



the "Back" button of the Internet Browser to return to TESS)

Typed Drawing

Word Mark THE MOST PERFECTLY CUT DIAMOND IN THE WORLD

IC 014. US 002 027 028 050. G & S: Gemstones, namely cut diamonds. FIRST USE: Goods and

Services 19970101. FIRST USE IN COMMERCE: 19970101

Mark Drawing (1) TYPED DRAWING

Code 78078314 Serial Number

Filing Date August 8, 2001

Current Filing 1A **Basis**

Original Filing 1B

Basis

Published for January 21, 2003 **Opposition**

Owner (APPLICANT) Hearts on Fire Company CORPORATION DELAWARE 333 Washington

Street, Suite 851 Boston MASSACHUSETTS 021085111

Attorney of GAILYC C. SONIA Record

Disclaimer NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CUT DIAMOND" APART

FROM THE MARK AS SHOWN

Type of Mark **TRADEMARK** Register PRINCIPAL-2(F)

Live/Dead LIVE Indicator

Page 1 of 2

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PTO HOME TRADEMARK TESS HOME NEW USER STRUCTURED FREE FORM BROWSE DICT Тор HELP PREVIOUS CURRLIST First Doc Prey Doc Next Doc Last Doc

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Latest Status Info Page 1 of 3 Case 1:04-cv-12258-JLT Document 6-2 Filed 12/06/2004 Page 9 of 11

Thank you for your request. Here are the latest results from the TARR web server.

This page was generated by the TARR system on 2004-12-03 19:18:53 ET

Serial Number: 78078314

Registration Number: (NOT AVAILABLE)

Mark (words only): THE MOST PERFECTLY CUT DIAMOND IN THE WORLD

Standard Character claim: No

Current Status: An opposition is now pending at the Trademark Trial and Appeal Board.

Date of Status: 2004-02-27

Filing Date: 2001-08-08

Transformed into a National Application: No

Registration Date: (DATE NOT AVAILABLE)

Register: Principal

Law Office Assigned: LAW OFFICE 112

Attorney Assigned:

FAIRBANKS RONALD L Employee Location

Current Location: 845 -TTAB

Date In Location: 2004-11-17

LAST APPLICANT(S)/OWNER(S) OF RECORD

1. Hearts on Fire Company

Address:

Hearts on Fire Company 333 Washington Street, Suite 851 Boston, MA 021085111

United States

Legal Entity Type: Corporation

State or Country of Incorporation: Delaware

Phone Number: N.A.

GOODS AND/OR SERVICES

International Class: 014

Latest Status Info
Page 2 of 3

Case 1:04-cv-12258-JLT Document 6-2 Filed 12/06/2004 Page 10 of 11

Gemstones, namely cut diamonds

First Use Date: 1997-01-01

First Use in Commerce Date: 1997-01-01

Basis: 1(a)

ADDITIONAL INFORMATION

Disclaimer: "CUT DIAMOND"

Section 2(f)

MADRID PROTOCOL INFORMATION

(NOT AVAILABLE)

PROSECUTION HISTORY

2004-07-16 - PAPER RECEIVED

2004-02-11 - Registration canceled - Restored to pendency

2004-02-02 - TEAS Change of Correspondence Received

2003-07-29 - Registered - Principal Register

2003-05-20 - Opposition instituted for Proceeding

2003-02-11 - Extension of time to oppose - Filed

2003-01-21 - Published for opposition

2003-01-01 - Notice of publication

2002-11-18 - Approved for Pub - Principal Register (Initial exam)

2002-09-19 - Communication received from applicant

2002-09-19 - PAPER RECEIVED

2002-06-07 - Unresponsive paper received

2002-06-06 - NON-FINAL ACTION E-MAILED

2002-06-06 - Amendment to Use approved

2002-04-23 - Amendment to use processing complete

2002-03-25 - Amendment to Use filed

2002-03-25 - PAPER RECEIVED

2002-03-25 - Communication received from applicant

2002-03-25 - PAPER RECEIVED

2001-09-25 - Non-final action mailed

2001-09-17 - Case file assigned to examining attorney

CORRESPONDENCE INFORMATION

Correspondent

GAILYC C. SONIA (Attorney of record)

GAILYE C. SONIA HEARTS ON FIRE COMPANY 99 SUMMER STREET, 4TH FLOOR BOSTON, MA 02110

Phone Number: 617-523-5588 **Fax Number:** 617-523-1437